

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG

DOUGLAS N. GAER, Individually and on	)	No. 3:10-cv-00081-JPB
Behalf of All Others Similarly Situated,)	
	)	<u>CLASS ACTION</u>
Plaintiff,)	
	)	The Honorable John Preston Bailey
vs.)	
	)	DECLARATION OF STEVEN F. WHITE IN
AMERICAN PUBLIC EDUCATION, INC., et	)	SUPPORT OF CITY OF MIAMI FIRE
al.,	)	FIGHTERS' AND POLICE OFFICERS'
	)	RETIREMENT TRUST'S MOTION FOR
Defendants.	)	APPOINTMENT AS LEAD PLAINTIFF
	)	AND APPROVAL OF SELECTION OF
_____	)	COUNSEL

I, Steven F. White, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of West Virginia and this Court. I am a member of the law firm Steven F. White PLLC, local counsel for City of Miami Fire Fighters' and Police Officers' Retirement Trust (the "Retirement Trust") and proposed local counsel for the class.

2. I make this declaration in support of the Retirement Trust's Motion for Appointment as Lead Plaintiff and Approval of Selection of Counsel. I have personal knowledge of the matters stated herein.

3. Attached are true and correct copies of the following exhibits:

Exhibit A: Notice of Shareholder Class Action filed against American Public Education, Inc., published on *Globe Newswire* on August 13, 2010;

Exhibit B: Sworn Certification of the Retirement Trust;

Exhibit C: Chart of Purchases and Losses; and

Exhibit D: Firm résumé of Robbins Geller Rudman & Dowd LLP.

I declare under penalty of perjury under the laws of the State of West Virginia that the foregoing is true and correct. Executed this 12th day of October, 2010, at Charleston, West Virginia.

s/ STEVEN F. WHITE

STEVEN F. WHITE

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2010, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 12, 2010.

s/ STEVEN F. WHITE PLLC
STEVEN F. WHITE PLLC

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Mailing Information for a Case 3:10-cv-00081-JPB

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Carl N. Frankovitch**
carln@facslaw.com
- **Eric J. Hulett**
eric.hulett@steptoe-johnson.com,maryfaith.suarez@steptoe-johnson.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)